iLecture: Copyright and Intellectual Property

This guide provides staff with information relating to the copyright and intellectual property considerations associated with the use of iLecture.

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Use of Copyrighted Material in an iLecture

Streaming audio (and video) of your lectures, seminars, resources, conferences etc. on the web may involve the actions of reproduction and communication of copyright material. Thus if you include any third party copyright material in your iLecture (i.e., material for which Curtin does not own the copyright) it's important to ensure that you comply with the provisions of the Copyright Act 1968.

Use of Printed, Graphic or Broadcast Materials

Curtin participates in two statutory license schemes that enable its staff to use copyright material for educational purposes:

- the Part VA license **allows staff to reproduce and communicate audio-visual materials derived from broadcasts** (e.g., radio, free-to-air and cable or satellite TV)
  http://copyright.curtin.edu.au/teaching/va.cfm

- the Part VB license **allows staff to reproduce and communicate printed and graphic materials** (subject to strict limits).
  http://copyright.curtin.edu.au/teaching/vb.cfm

If you show all or part of a TV or radio broadcast in your live lecture then there is no problem about recording this material as part of an iLecture. This is permitted under the terms of the Part VA statutory license. You can show and record an entire program or just selected excerpts. It's also permissible to show podcasts that have been made available online by radio or television networks.

If your face-to-face lecture contains only an insignificant amount of copyright text- based material (e.g., a brief quotation from a textbook, assorted examples of artwork) then there's no problem about relaying this material via an iLecture. However, if you want to include more substantial amounts of copyright material in the iLecture (especially if it's going to be made available via an online learning management system), then this must be arranged through the Library Reading Lists. This is to make sure the University complies with overall limits on the amount of material from any one source that is communicated online.

Where copyright material is placed in an iLecture, access must be restricted to Curtin staff and students, and the material must be accompanied by the required electronic warning notice (see format of notice at http://copyright.curtin.edu.au/teaching/notices_and_labels.cfm.

Please note that the Part VA and VB statutory licences **don't cover the reproduction and communication of any commercial videos or DVDs that are purchased, leased or rented**. There are other provisions in the Copyright Act that might allow the inclusion of short excerpts of commercial videos/DVDs in an iLecture – e.g., for the purpose of critical analysis or review, or for educational instruction – provided that this use will not harm the commercial interests of the copyright owner. However, it would not be permissible to include a substantial part of a commercial video/DVD in an iLecture without obtaining express permission from the copyright owner.

iLecture: Copyright and Intellectual Property

Use of Music

Curtin is party to a collective music licence (negotiated between Universities Australia and the music collecting societies) which permits staff to reproduce, communicate or perform an extensive repertoire of copyright musical works or sound recordings for educational purposes or university events. Thus it is **permissible to play a segment of a copyright sound recording (including a commercially obtained cassette or CD) in a class, and then reproduce and communicate this music via an iLecture**. Your iLecture might also include a live performance of music if such a situation were to arise. You must ensure that any music you use is legitimately obtained – i.e., not a pirate copy or illegally downloaded from the Internet.

Any copyright music streamed in this way can only be relayed to Curtin staff or students via a protected Intranet or online teaching system, must only be made available for teaching purposes, and must be accompanied by the prescribed notice (for format of notice see under "Marking and labelling requirements" at http://copyright.curtin.edu.au/teaching/notices-and-labels/). Access granted to sound recordings is only for listening purposes – the license doesn't give students any right to download music from the iLecture or Intranet. Similarly, Curtin students or staff are not permitted to reproduce, download or convey to any other parties, all or part of any copyright musical work via the Internet or email systems.

Music that is copied from a radio or TV broadcast could also be used in your iLecture under the provisions of the Part VA statutory license (see above).

Need more information about copyright?

If you have any queries or concerns regarding copyright in relation to the iLecture service, please contact the Library Copyright Team (Ext. 7494 or library-copyright@curtin.edu.au)

Useful Links

More detailed information on copyright is available at: http://copyright.curtin.edu.au/

What About Protection of Your Own Lecture Material?

As the music and movie industries have found, it is impossible to guarantee the protection of any recorded media. The fact that MIT, Berkeley, Stanford and other institutions make much of their high quality courseware available for free on iTunes U, YouTube and other sites on the Internet tends to make these concerns a bit moot anyway.

However, there are various levels of security that can make it more difficult for people to share your recordings, though whenever one attempts to lock media down, legitimate users will end up with less options and more hoops to jump through without ever being able to guarantee 100% security.

Streamed audio and video recordings by their very nature are not *easily* downloaded or copied to users' hard disks or edited by end users. This immediately gives them a higher level of protection than any images or text you may have on your web sites whether they are behind password protection or not. Podcast links can be posted to other sites on the internet so if you need to restrict access to your recordings, turning off podcasting makes that more difficult. However, downloadable or podcast versions of iLecture recordings do have the advantage that students can copy them to their smartphones and other portable devices to listen to/watch lectures while on the bus or sitting on the oval between lectures etc.

By default, only the course designer/lecturer of a particular unit is provided with the weblink for the iLecture recordings of that unit. Links to iLecture recordings will usually be automatically embedded within the associated Blackboard units. Students should be advised to access iLecture recordings through Blackboard.

Note that this weblink can be redistributed. Should you wish to control access to iLecture recordings, you can do so by enabling authentication (Oasis Authentication is enabled by default). You can do so for each iLecture unit using the iLecture Management Form, selecting either **Oasis Authentication** (accessible anywhere using Curtin credentials) or

Blackboard Only (accessible only via Blackboard). Choose **Public Access** if you are making your iLecture recordings available on Curtin's iTunes U presence, or to an affiliated institution or to other non-Curtin users or the general public etc.

If the iLecture recordings are of a conference or public seminar or similar and you are happy to have anyone view them, then the weblink for your iLecture recordings can be inserted on any web page or even in an email to users.

Guest Speakers and International Audiences

iLecture recordings are only made available to students or a wider audience when the lecturer or unit controller responsible makes them available in FLECS Blackboard, on a website or sent in an email. As such, it is the responsibility of that lecturer or unit controller to ensure the content is appropriate for the intended audience and that appropriate permissions have been obtained.

Signed Permission

If you are hosting a guest speaker and the session will be recorded by the Curtin iLecture system, you need to obtain written permission from the guest lecturer agreeing to be recorded. Permission forms are available at: http://cel.curtin.edu.au/local/downloads/learning_technologies/iLecturesConsentForm.pdf

Cultural Sensitivity of Audience

In all iLecture recordings that you make available to students or a wider audience you need to ensure the material is appropriate. For example nudity in an art presentation may be offensive to Muslim cultures or images of deceased persons may be hurtful to local indigenous peoples.

If you are the person responsible for inserting these recordings into Blackboard or other web pages, or you send the link in an email, it is incumbent on you to vet these recordings for your audience.